

**THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Order Filed on May 19, 2025
 by Clerk
 U.S. Bankruptcy Court
 District of New Jersey

In re:

20230930-DK-BUTTERFLY-1, INC., f/k/a BED
 BATH & BEYOND INC., *et al.*,

Debtors.

MICHAEL GOLDBERG, as Plan Administrator for
 20230930-DK-BUTTERFLY-1, INC., f/k/a Bed Bath
 & Beyond Inc.,

Plaintiff,

v.

NEW JERSEY ECONOMIC DEVELOPMENT
 AUTHORITY,

Defendant.

Case No. 23-13359 (VFP)

(Jointly Administered)

Adv. No. 24-01443-VFP

**ORDER DENYING PLAINTIFF'S MOTION
FOR LEAVE TO FILE AN AMENDED COMPLAINT**

The relief set forth on the following page, numbered two (2), is hereby **ORDERED**.

DATED: May 19, 2025


 Honorable Vincent F. Papalia
 United States Bankruptcy Judge

Upon the motion (the “Motion”) of Plaintiff, Michael Goldberg, as Plan Administrator for 20230930-DK-BUTTERFLY-1, Inc., f/k/a Bed Bath & Beyond Inc. (“Plaintiff”), in the above-captioned adversary proceeding (the “Adversary Proceeding”), for an order granting Plaintiff leave to file an amended complaint against Defendant, New Jersey Economic Development Authority (“NJEDA”), pursuant to Federal Rule of Civil Procedure 15(a)(2), made applicable to these proceedings by Federal Rule of Bankruptcy Procedure 7015; and having reviewed the Motion and all papers filed in opposition thereto and in connection therewith; and after an opportunity for a hearing on the Motion that took place on May 13, 2025 (the “Hearing”); and it appearing that due and adequate notice of the Motion having been given to all parties entitled thereto and no other or further notice is necessary;

IT IS HEREBY ORDERED as follows:

1. The Motion is DENIED with prejudice on the grounds stated on the record at the Hearing.
2. The Adversary Proceeding is hereby dismissed with prejudice.